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2700 First Indiana Plaza
135 North Pennsylvania Street
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3673
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Group: 3673

Atty. Docket: 8266-1126

Applicants: Zerhusen et al.

Invention: BED SIDERAILS HAVING
FLEXIBLE PORTIONS

Serial No.: 10/644,122

Filed: August 20, 2003

Examiner: Leë, J.

Certificate Under 37 C.F.R. § 1.8(a)

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on July 30, 2004

D. Cwiklinski

D. Cwiklinski

Dated

July 30, 2004

RESPONSE TO OFFICIAL ACTION

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

In response to the Official Action mailed April 30, 2004, please consider the remarks and amendments herein.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims begin on page 3 of this paper.

Remarks begin on page 6 of this paper.

08/04/2004 EAREGAY1 00000052 023223 10644122

01 FC:1201 344.00 DA

Adjustment date: 11/24/2004 SDIRETA1
08/30/2004 SGARNETT 00000004 023223 10644122
01 FC:1201 344.00 CR

BEST AVAILABLE COPY**BOSE McKINNEY & EVANS LLP****CUSTOMER NUMBER 25267**2700 First Indiana Plaza
135 North Pennsylvania Street
Indianapolis, Indiana 46204
(317) 684-5000**PATENT APPLICATION****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Group: 3673

Atty. Docket: 8266-1126


Applicant: Zerhusen et al.

Invention: **BED SIDERAILS HAVING
FLEXIBLE PORTIONS**

Serial No.: 10/644,122

Filed: August 20, 2003

Examiner: Lea, James

Certificate Under 37 C.F.R. § 1.8I hereby certify that this correspondence is being
transmitted by facsimile to (703) 308-5077, Attn:
Refund Department, Commissioner for Patents, P.
O. Box 1450, Alexandria, VA 22313-1450.on October 18, 2004
James A. ColesDated: October 18, 2004**REQUEST FOR REFUND OF OVERCHARGE
PURSUANT TO 37 C.F.R. § 1.26**Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

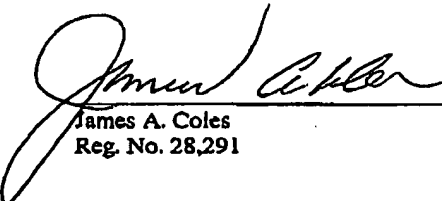
A charge of \$344.00 for an additional patent claim fee was charged twice to our Deposit Account No. 02-3223; once on August 4, 2004, and then again on August 30, 2004. We believe that a refund in the amount of \$344.00 is due in view of the duplicate charge.

It is respectfully submitted that applicants owed only \$344 for four (4) extra independent claims filed July 30, 2004, in our response to the office action dated April 30, 2004, and only that amount should have been charged to our Deposit Account.

Applicant respectfully requests that the Office issue a refund of \$344.00 and credit Bose McKinney & Evans LLP's Deposit Account No. 02-3223.

Your help in this matter is requested. Please feel free to call me if you have any questions.

Respectfully submitted,

BOSE McKINNEY & EVANS LLP
James A. Coles
Reg. No. 28,291Indianapolis, Indiana
(317) 684-5000
573007_1.DOC

**BOSE
McKINNEY
& EVANS LLP**

ATTORNEYS AT LAW

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FAX COVER SHEET

Date: October 18, 2004

From: Kelly A. Blaylock

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Total Number of Pages Transmitted (including cover sheet): 2APPLICANT: Zerhusen et al.
SERIAL NO.: 10/644,122
FILED: August 20, 2003
ATTY. DOCKET: 8266-1126**SPECIAL INSTRUCTIONS:**

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